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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,378	04/02/2001	Chaker T. Al Hakim	2000-0567	9530
7590 12/02/2004				
Samuel H. Dworetsky AT&T CORP. P.O Box 4110 Middletown, NJ 07748-4110			EXAMINER PEZZLO, JOHN	
			ART UNIT 2662	PAPER NUMBER

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/824,378

**Applicant(s)**

AL HAKIM ET AL.

**Examiner**

John Pezzlo

**Art Unit**

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-34 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-26 is/are rejected.
- 7) ☐ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

I. Claims 1-8 and 10-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Elliott et al. (US 6,754,181 B1) hereinafter Elliott.

1. Regarding claim 1 – Elliott discloses a user profile is stored for the user and the profile is used for routing, refer to column 1 lines 27 to 43 and column 15 lines 1 to 31 and column 31 lines 7 to 25 and column 67 lines 30 to 67 and column 68 lines 30 to 67.

Elliott discloses receiving in the network a call from a calling party dialed to a called party, refer to Figure 19A and column 16 lines 12 to 67.

Elliott discloses launching a query to database containing routing plans to obtain a called party routing number for the called party in accordance with a subscriber routing plan that is independent of call origination and termination, refer to Figure 19A and column 16 lines 12 to 67

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and column 32 lines 30 to 55 and column 100 lines 47 to 67 and Figures 71 and 72 and column 256 lines 1 to 61.

Elliott discloses mapping the called party routing number to a physical port in the network when the called party routing number corresponds to a circuit-switched call destination, refer to Figure 19A and column 16 lines 12 to 67.

Elliott discloses routing to an IP address when the called party routing number corresponds to a packet-based call destination, refer to Figure 19G and column 17 lines 37 to 43 and column 18 line 63 to column 20 line 30 and column 93 lines 40 to 43.

Elliott discloses routing the call to the call destination in accordance with the mapping, refer to Figure 19A and column 16 lines 12 to 67.

2. Regarding claims 2, 3, 4, 13, 14, 15, 18, 19, 20, 23, 24, and 25 – Elliott discloses a hybrid network wherein all combinations of calls are accommodated, PSTN to packet, packet to PCTN, and packet to packet, refer to column 77 lines 8 to 17 and Figures 15, 16, 17, and 18 and column 105 lines 1 to 60.

3. Regarding claims 5 and 16 and 21 and 26 – Elliott discloses the query includes the called party number and a number associated with the calling party, refer to Figure 1F and column 87 lines 38 to 55.

4. Regarding claim 6 – Elliott discloses providing an announcement to the calling party, refer to column 259 lines 15 to 25.

5. Regarding claim 7 – Elliott discloses collecting the digits from the calling party, refer to column 240 lines 50 to 55.

6. Regarding claim 8 – Elliott discloses providing an announcement and collecting digits, refer to column 240 lines 50 to 60.

7. Regarding claim 10 – Elliott discloses the database supports PSTN destinations and is updated to handle emerging IP telephony, refer to column 1 lines 27 to 43 and column 15 lines 1 to 31 and column 31 lines 7 to 25 and column 67 lines 30 to 67 and column 68 lines 30 to 67.

8. Regarding claim 11 – Elliott discloses that the user profile database and the profiles are new to support the new service and the hybrid network, refer to column 1 lines 27 to 43 and column 15 lines 1 to 31 and column 31 lines 7 to 25 and column 67 lines 30 to 67 and column 68 lines 30 to 67.

9. Regarding claim 12 – Elliott discloses a user profile is stored for the user and the profile is used for routing, refer to column 1 lines 27 to 43 and column 15 lines 1 to 31 and column 31 lines 7 to 25 and column 67 lines 30 to 67 and column 68 lines 30 to 67.

Elliott discloses receiving in the network a call from a calling party dialed to a called party, refer to Figure 19A and column 16 lines 12 to 67.

Elliott discloses launching a query to database containing routing plans to obtain a called party routing number for the called party in accordance with a subscriber routing plan that is independent of call origination and termination, refer to Figure 19A and column 16 lines 12 to 67 and column 32 lines 30 to 55 and column 100 lines 47 to 67 and Figures 71 and 72 and column 256 lines 1 to 61.

Elliott discloses providing an announcement to the calling party, refer to column 259 lines 15 to 25.

Elliott discloses mapping the called party routing number to a physical port in the network when the called party routing number corresponds to a circuit-switched call destination, refer to Figure 19A and column 16 lines 12 to 67.

Elliott discloses routing to an IP address when the called party routing number corresponds to a packet-based call destination, refer to Figure 19G and column 17 lines 37 to 43 and column 18 line 63 to column 20 line 30 and column 93 lines 40 to 43.

Elliott discloses routing the call to the call destination in accordance with the mapping, refer to Figure 19A and column 16 lines 12 to 67.

10. Regarding claim 17 – Elliott discloses a user profile is stored for the user and the profile is used for routing, refer to column 1 lines 27 to 43 and column 15 lines 1 to 31 and column 31 lines 7 to 25 and column 67 lines 30 to 67 and column 68 lines 30 to 67.

Elliott discloses receiving in the network a call from a calling party dialed to a called party, refer to Figure 19A and column 16 lines 12 to 67.

Elliott discloses launching a query to database containing routing plans to obtain a called party routing number for the called party in accordance with a subscriber routing plan that is independent of call origination and termination, refer to Figure 19A and column 16 lines 12 to 67 and column 32 lines 30 to 55 and column 100 lines 47 to 67 and Figures 71 and 72 and column 256 lines 1 to 61.

Elliott discloses collecting the digits from the calling party, refer to column 240 lines 50 to 55.

Elliott discloses mapping the called party routing number to a physical port in the network when the called party routing number corresponds to a circuit-switched call destination, refer to Figure 19A and column 16 lines 12 to 67.

Elliott discloses routing to an IP address when the called party routing number corresponds to a packet-based call destination, refer to Figure 19G and column 17 lines 37 to 43 and column 18 line 63 to column 20 line 30 and column 93 lines 40 to 43.

Elliott discloses routing the call to the call destination in accordance with the mapping, refer to Figure 19A and column 16 lines 12 to 67.

11. Regarding claim 22 – Elliott discloses a user profile is stored for the user and the profile is used for routing, refer to column 1 lines 27 to 43 and column 15 lines 1 to 31 and column 31 lines 7 to 25 and column 67 lines 30 to 67 and column 68 lines 30 to 67.

Elliott discloses receiving in the network a call from a calling party dialed to a called party, refer to Figure 19A and column 16 lines 12 to 67.

Elliott discloses launching a query to database containing routing plans to obtain a called party routing number for the called party in accordance with a subscriber routing plan that is independent of call origination and termination, refer to Figure 19A and column 16 lines 12 to 67 and column 32 lines 30 to 55 and column 100 lines 47 to 67 and Figures 71 and 72 and column 256 lines 1 to 61.

Elliott discloses providing an announcement and collecting digits, refer to column 240 lines 50 to 60.

Elliott discloses mapping the called party routing number to a physical port in the network when the called party routing number corresponds to a circuit-switched call destination, refer to Figure 19A and column 16 lines 12 to 67.

Elliott discloses routing to an IP address when the called party routing number corresponds to a packet-based call destination, refer to Figure 19G and column 17 lines 37 to 43 and column 18 line 63 to column 20 line 30 and column 93 lines 40 to 43.

Elliott discloses routing the call to the call destination in accordance with the mapping, refer to Figure 19A and column 16 lines 12 to 67.

#### ***Allowable Subject Matter***

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 27-34 are allowable over the prior art of record.



***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Kung et al. (US 6,678,265 B1) discloses a local number portability database for on-net IP call.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

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Hand delivered responses should be brought to:

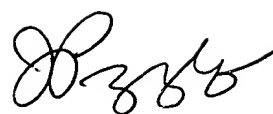
Jefferson Building

500 Dulany Street

Alexandria, VA.

John Pezzlo

23 November 2004

A handwritten signature in black ink, appearing to read 'J. Pezzlo', with a stylized, cursive script.

**JOHN PEZZLO**  
**PRIMARY EXAMINER**